

City Council Meeting Minutes

**August 6, 2019
City Hall, Council Chambers
749 Main Street
6:00 PM**

Call to Order – Mayor Muckle called the meeting to order at 6:00 p.m.

Roll Call was taken and the following members were present:

City Council: ***Mayor Robert Muckle
Mayor Pro Tem Jeff Lipton
Councilmember Jay Keany
Councilmember Chris Leh
Councilmember Susan Loo
Councilmember Dennis Maloney
Councilmember Ashley Stolzmann***

Staff Present: ***Heather Balser, City Manager
Nathan Mosely, Parks, Recreation, & Open Space Director
Kurt Kowar, Public Works Director
Katie Baum, Sustainability Specialist
Sharon Nemechek, Library & Museum Services Director
Meredyth Muth, City Clerk***

Others Present: ***Kathleen Kelly, City Attorney***

PLEDGE OF ALLEGIANCE

All rose for the pledge of allegiance.

APPROVAL OF AGENDA

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Councilmember Keany. All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

APPROVAL OF THE CONSENT AGENDA

MOTION: Mayor Muckle stated there was a request to move Item G to the regular agenda. Mayor Muckle moved to approve it as amended; seconded by Councilmember Leh. All in favor.

- A. Approval of Bills**
- B. Approval of Minutes: July 16, 2019; July 23, 2019**
- C. Approval of City Council Special Meeting on August 27**
- D. Approval of Resolution No. 24, Series 2019 – A Resolution Approving an Intergovernmental Agreement By and Between the City of Louisville and the Boulder County Clerk and Recorder for the Conduct and Administration of the 2019 Coordinated Election to be Held November 5, 2019**
- E. Approval of T-Mobile Contract Amendment**
- F. Approval of Resolution No. 25, Series 2019 – A Resolution Setting Renewable Energy and Carbon Emission Reduction Goals**
- G. Contract Approval for Third-Party Review of Terraces on Main Tax Increment Financing Application for Direct Assistance – *moved to regular agenda***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

None.

CITY MANAGER'S REPORT

None.

REGULAR BUSINESS

DISCUSSION/DIRECTION – SOLID WASTE TRANSITION UPDATE

Director Kowar stated this was an update on the change from Western to Republic for the new refuse, recycling, and compost contract. He stated bin selection has ended for residents, but if someone gets bins and decides they want other sizes, people can change their cart mix up to three times per year. Cart delivery will begin next week.

Staff and Republic both created communications to reach residents including utility bill inserts, mailings, and newsletters. Councilmember Loo asked how information is getting to people noting some people will need direct notices as this is a big change. She would like the communications to make a big splash to get the attention of residents.

Councilmember Stolzmann asked if information will be attached to the carts when they are delivered to the customer. Director Kowar stated all the new carts will be tagged with information about carts, the new service, and pick up days.

Director Kowar stated they are aware mistakes will happen, but the staff of both Republic and the City will be available to help. He stated neighborhood meetings will be held in late August. They are spread around town and will have people to answer questions and all of the communication materials.

The City newsletter will have service information regarding the annual bulk item pick up, curb side leaf and branch removal in the fall, and other additional services.

The City's leaf drop off program will continue along with Republic's leaf pick up and regular use of resident's compost bins.

Mark Petrovich from Republic stated Republic is sending a calendar and newsletter to all customers this week. These will have all the details on the program, cart exchanges, special services, and all the important dates to know. It also gives all customers a web site to get additional information.

Director Kowar noted compost is being held within the County currently. Republic and the City are partnering to maintain compliance with the quarantine. Compost may be transported out of the quarantine zone without processing from October - April 1. The City and Republic are working under a current assumption that the quarantine will be lifted prior to April 1. If the quarantine is not lifted the City and Republic will review alternatives.

Director Kowar noted the customer service phone number established for Louisville residents, reviewed the rates and how extra containers will be charged, and showed the map noting the different pick up areas and days of the week they are serviced.

Councilmember Stolzmann asked if HOAs can join in the City contract. Director Kowar said Republic can do this if the HOA asks.

**CONTRACT APPROVAL FOR THIRD-PARTY REVIEW OF TERRACES ON MAIN TAX
INCREMENT FINANCING APPLICATION FOR DIRECT ASSISTANCE – MOVED
FROM CONSENT AGENDA**

City Attorney Kelly noted this comes to Council pursuant to the cooperation agreement between the City and the Revitalization Commission (LRC) which requires the City Council review and approve expenditures and the budget of the LRC. This agreement is for a third party review of the TIF application for the Terraces on Main Project as set out in the recently approved TIF Assistance Guidelines.

City Attorney Kelly stated there is an error in the contract in that the agreement is written between the City and the consultant, however it should be between the LRC and the

consultant. The City Council is approving the LRC expenditure not the contract which is required before the LRC can approve the contract. This contract will be revised before the LRC reviews it on Monday.

Councilmember Leh clarified the agreement is between the LRC and the consultant.

City Attorney Kelly stated the Council is only approving the expenditure not the contract. Councilmember Loo moved to approve the expenditure; Councilmember Keany second.

Councilmember Maloney asked if this could still be approved as the agenda stated contract approval. City Attorney Kelly stated it is acceptable to approve only the expenditure as later this year the Council will consider an amendment for the LRC budget for this item.

Vote: Motion carried by unanimous roll call vote.

**ORDINANCE NO. 1780, SERIES 2019 – AN ORDINANCE AMENDING CHAPTER 3.20
OF THE LOUISVILLE MUNICIPAL CODE CONCERNING THE APPEALS PROCESS
FOR TAX DECISIONS – 1ST READING, SET PUBLIC HEARING 8/20/19**

City Attorney Kelly introduced the ordinance by title. Councilmember Leh moved to approve this on first reading and set the public hearing for 8/20/19; seconded by Mayor Pro Tem Lipton.

Voice vote, all in favor.

EXECUTIVE SESSION

REAL PROPERTY ACQUISITIONS AND DISPOSITIONS

(Louisville Charter, Section 5-2(c) – Authorized Topics – Consideration of real property acquisitions and dispositions, only as to appraisals and other value estimates and strategy, and C.R.S. 24-6-402(4)(a)).

City Attorney Kelly introduced the request for executive session stating the City Manager is requesting an Executive Session for the purpose of consideration of potential property acquisition and disposition in Louisville.

The City Clerk read Section 2.180.130 of the Louisville Municipal Code which outlines the topics permitted for discussion in an executive session.

City Attorney Kelly stated the authority to conduct this executive session is in the Home Rule Charter Section 5-2(c) for Council to discuss potential real property acquisitions and dispositions, with regard to properties in Louisville, but only as to appraisals and other value estimates and strategy, and in C.R.S. 24-6-402(4)(a). The request involves potential acquisition of real property.

MOTION: Mayor Muckle moved the City Council adjourn to executive session for the purpose of consideration of potential real property acquisitions and dispositions, with regard to properties in Louisville, but only as to appraisals and other value estimates and strategy; and the executive session include the City Council, City Manager, City Attorney, and Parks, Recreation & Open Space Director. Seconded by Councilmember Loo.

Vote: Motion carried by unanimous roll call vote.

The City Council adjourned to executive session at 6:38 pm.

The City Council meeting reconvened at 7:28 pm.

**REPORT – DISCUSSION/DIRECTION/ACTION – REAL PROPERTY DISPOSITION
AND ACQUISITIONS**

City Attorney Kelly reported that in the executive session City Council discussed a matter concerning real property acquisitions. No specific action is requested for follow up on the executive session.

CITY ATTORNEY'S REPORT

None.

**COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE
AGENDA ITEMS**

None.

ADJOURN

Members adjourned at 7:28 pm.

Robert P. Muckle, Mayor

Meredyth Muth, City Clerk